

1 BRETT A. AXELROD, ESQ.  
 2 Nevada Bar No. 5859  
 3 GREENBERG TRAURIG, LLP  
 4 3773 Howard Hughes Pkwy, Suite 400 North  
 5 Las Vegas, Nevada 89169  
 Telephone: (702) 792-3773  
 Facsimile: (702) 792-9002  
 Email: axelrodb@gtlaw.com

Electronically Filed May 11, 2009

6 *Counsel for Sagebrush Enterprises, Inc. and James Rhodes*

7 **UNITED STATES BANKRUPTCY COURT**

8 **DISTRICT OF NEVADA**

9 In re

10 THE RHODES COMPANIES, LLC.,  
 11 a Nevada limited liability company, et al.<sup>1</sup>

12 Debtors.

13 Affects:

14  All Debtors

15  Affects the following Debtor(s):

16 Case No. BK-S-09-14814-LBR, *et. seq.*

17 (Jointly Administered Under BK-S-09-14814)

18 Chapter 11

19 Hearing Date: May 15, 2009

20 Hearing Time: 1:30 p.m.

21 **CERTIFICATE OF SERVICE OF NOTICE (1) OF WITHDRAWAL OF MOTION TO  
 22 STRIKE INADMISSIBLE HEARSAY IN OBJECTION OF THE FIRST LIEN STEERING  
 COMMITTEE TO THE DEBTORS' MOTION FOR INTERIM AND FINAL ORDERS  
 PURSUANT TO SECTIONS 105, 361, 362, 363 AND 364 OF THE BANKRUPTCY CODE (A)  
 23 AUTHORIZING DEBTORS TO USE CASH COLLATERAL, (B) GRANTING ADEQUATE  
 PROTECTION TO THE DEBTORS' PREPETITION SECURED PARTIES AND (C)  
 SCHEDULING A FINAL HEARING;  
 AND (2) TO VACATE HEARING**

24 <sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, if  
 25 applicable are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes Ranch General  
 Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837); Jackknife, LP (6189);  
 26 Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730); Tuscany Acquisitions, LLC  
 (0206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777); Tuscany Acquisitions IV, LLC (0509);  
 Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J Holdings, Inc. (1315); Rhodes Realty, Inc.  
 (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes Homes Arizona, LLC (7248); Rhodes Arizona  
 Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers Holdings, LLC (8451); Elkhorn Partners, a Nevada  
 Limited Partnership (9654); Bravo, Inc. (2642); Gung-Ho Concrete, LLC (6966); Geronimo Plumbing, LLC (6897); Apache  
 Framing, LLC (6352); Tuscany Golf Country Club, LLC (7132); Pinnacle Grading, LLC (4838).

1 I hereby certify that on the 11th day of May 2009, I served a true and correct copy of the Notice  
2 (1) of Withdrawal of Motion to Strike Inadmissible Hearsay in Objection of The First Lien Steering  
3 Committee to The Debtors' Motion for Interim and Final Orders Pursuant to Sections 105, 361, 362,  
4 363 and 364 of the Bankruptcy Code (A) Authorizing Debtors to Use Cash Collateral, (B) Granting  
5 Adequate Protection to The Debtors' Prepetition Secured Parties and (C) Scheduling A Final Hearing;  
6 and (2) to Vacate Hearing [Docket No. 149], via:

7  (ELECTRONIC SERVICE) Pursuant to Administrative Order 02-1 (Rev. 8-31-04) of  
8 the United States Bankruptcy Court for the District of Nevada, the above-referenced document was  
9 electronically filed on the date noted above and served via the Notice of Electronic Filing automatically  
10 generated by the Court, attached hereto, to the parties indicated thereon as having been mailed  
11 electronic notice; and

12  (FIRST CLASS U.S. MAIL) by depositing a copy of the foregoing document in the U.S.  
13 Mail, postage prepaid, addressed to the following parties:

14 DON S DEAMICIS on behalf of Creditor WELLS FARGO BANK, N.A.  
15 1 INTERNATIONAL PL  
16 BOSTON, MA 02210

17 JANINA GUTHRIE  
18 1225 MONTEREY ST.  
REDLANDS, CA 92373

19 PALECEK  
20 PO BOX 225  
21 RICHMOND, CA 94804

22 MARK R. SOMERSTEIN on behalf of Creditor WELLS FARGO BANK, N.A.  
1211 AVENUE OF THE AMERICAS  
23 NEW YORK, NY 10036

24 \_\_\_\_\_  
25 */s/ Rosemary Dittrich*  
26 an employee of Greenberg Traurig, LLP  
27  
28

**File a Notice:****09-14814-lbr THE RHODES COMPANIES, LLC**

Type: bk

Chapter: 11 v

Office: 2 (Las Vegas)

Assets: y

Judge: lbr

Case Flag: JNTADMN, LEAD,  
BAPCPA**U.S. Bankruptcy Court****District of Nevada****Notice of Electronic Filing**

The following transaction was received from BRETT A. AXELROD entered on 5/11/2009 at 4:19 PM PDT and filed on 5/11/2009

**Case Name:** THE RHODES COMPANIES, LLC**Case Number:** 09-14814-lbr**Document Number:** 149**Docket Text:**

Notice of Withdrawal *and Notice to Vacate Hearing* Filed by BRETT A. AXELROD on behalf of JAMES RHODES (Related document(s)[44] Motion to Strike filed by Creditor SAGEBRUSH ENTERPRISES, INC., Creditor JAMES RHODES) (AXELROD, BRETT)

The following document(s) are associated with this transaction:

**Document description:** Main Document

**Original filename:** C:\Documents and Settings\dittrichr\Desktop\Notice of Withdrawal and to Vacate Hearing\_Motion to Strike.pdf

**Electronic document Stamp:**

[STAMP bkecfStamp\_ID=989277954 [Date=5/11/2009] [FileNumber=12334640-0  
] [19cd09e406edf02365fab6488542aaca7c9779b5459d18f1925b24ceea56baa6099  
4725c3fce8364e401d0c189f4af2c543835ff58be4913a89aacfab6558853]]

**09-14814-lbr Notice will be electronically mailed to:**

BRETT A. AXELROD on behalf of Creditor SAGEBRUSH ENTERPRISES, INC.  
lvecffilings@gtlaw.com, axelrodb@gtlaw.com;koisp@gtlaw.com;dittrichr@gtlaw.com;lvlitdock@gtlaw.com

SHIRLEY S. CHO on behalf of Debtor THE RHODES COMPANIES, LLC  
scho@pszjlaw.com

JANET L. CHUBB on behalf of Creditor COMMERCE ASSOCIATES, LLC  
tbw@jonesvargas.com

KIRBY C. GRUCHOW on behalf of Creditor NEVADA POWER COMPANY  
hkkelley@leachjohnson.com

RODNEY M. JEAN on behalf of Creditor Credit Suisse, Cayman Islands Branch  
RJEAN@LIONELSAWYER.COM,

gbagley@lionelsawyer.com; bklsc1v@lionelsawyer.com; mstow@lionelsawyer.com; mtieu@lionelsawyer.com

ZACHARIAH LARSON on behalf of Debtor APACHE FRAMING, LLC  
ecf@lslawnv.com, susans@lslawnv.com; laurar@lslawnv.com

NILE LEATHAM on behalf of Creditor STEERING COMMITTEE OF SENIOR SECURED LENDERS  
nleatham@klnevada.com, ckishi@klnevada.com; bankruptcy@klnevada.com

EDWARD M. MCDONALD on behalf of U.S. Trustee U.S. TRUSTEE - LV - 11  
edward.m.mcdonald@usdoj.gov

SUSAN L. MYERS on behalf of Creditor Credit Suisse, Cayman Islands Branch  
smyers@lionelsawyer.com, gbagley@lionelsawyer.com; bklsc1v@lionelsawyer.com

TIMOTHY P. THOMAS on behalf of Creditor STEERING COMMITTEE OF SENIOR SECURED  
LENDERS  
tthomas@klnevada.com, bankruptcy@klnevada.com; dhoule@klnevada.com

U.S. TRUSTEE - LV - 11  
USTPRegion17.lv.ecf@usdoj.gov

DONALD H. WILLIAMS on behalf of Creditor Westar Kitchen & Bath, LLC  
DonaldHWilliamsLaw@gmail.com, taylorsellers@gmail.com

**09-14814-lbr Notice will not be electronically mailed to:**

DON S DEAMICIS on behalf of Creditor WELLS FARGO BANK, N.A.  
1 INTERNATIONAL PL  
BOSTON, MA 02210

IRA S. DIZENGOFF on behalf of Creditor STEERING COMMITTEE OF SENIOR SECURED LENDERS  
AKIN GUMP STRAUSS HAUER & FELD LLP  
ONE BRYANT PARK  
NEW YORK, NY 10036

CHRISTINE D. DONIAK on behalf of Creditor STEERING COMMITTEE OF SENIOR SECURED  
LENDERS  
AKIN GUMP STRAUSS HAUER & FELD LLP  
ONE BRYANT PARK  
NEW YORK, NY 10036

PHILIP C. DUBLIN on behalf of Creditor STEERING COMMITTEE OF SENIOR SECURED LENDERS  
AKIN GUMP STRAUSS HAUER & FELD  
ONE BRYANT PARK  
NEW YORK, NY 10036

JANINA GUTHRIE  
1225 MONTEREY ST.  
REDLANDS, CA 92373

PALECEK  
PO BOX 225  
RICHMOND, CA 94804

ABID QURESHI on behalf of Creditor STEERING COMMITTEE OF SENIOR SECURED LENDERS  
AKIN GUMP STRAUSS HAUER & FELD LLP  
ONE BRYANT PARK  
NEW YORK, NY 10036

ELIZABETH RASKIN on behalf of Creditor STEERING COMMITTEE OF SENIOR SECURED LENDERS  
AKIN GUMP STRAUSS HAUER & FELD LLP  
ONE BRYANT PARK  
NEW YORK, NY 10036

CHRISTOPHER T SCHULTEN on behalf of Creditor STEERING COMMITTEE OF SENIOR SECURED  
LENDERS  
AKIN GUMP STRAUSS HAUER & FELD LLP  
ONE BRYANT PARK  
NEW YORK, NY 10036

MARK R. SOMERSTEIN on behalf of Creditor WELLS FARGO BANK, N.A.  
1211 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036

JAMES I STANG on behalf of Debtor THE RHODES COMPANIES, LLC  
10100 SANTA MONICA BLVD #1100  
LOS ANGELES, CA 90067